

ESTTA Tracking number: **ESTTA299133**

Filing date: **08/05/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following parties oppose registration of the indicated application.

### Opposers Information

Name	Roche Diagnostics GmbH
Granted to Date of previous extension	08/05/2009
Address	Sandhofer Strasse 116 Mannheim, 68305 GERMANY

Name	Roche Diagnostics Operations, Inc.
Granted to Date of previous extension	08/05/2009
Address	9115 Hague Road Indianapolis, IN 46250 UNITED STATES

Attorney information	Jennifer L. Day Bose McKinney & Evans LLP 111 Monument Circle Suite 2700 Indianapolis, IN 46204 UNITED STATES trademark@boselaw.com Phone:(317) 684-5000
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### Applicant Information

Application No	79060211	Publication date	04/07/2009
Opposition Filing Date	08/05/2009	Opposition Period Ends	08/05/2009
International Registration No.	0980444	International Registration Date	08/10/2008
Applicant	GENERAL LIFE BIOTECHNOLOGY CO., LTD. 9F, No. 320, Sec. 4 Chung-Hsiao E. Rd.; Taipei City, Taiwan  CHINA		

### Goods/Services Affected by Opposition

Class 010.

Opposed goods and services in the class: blood testing apparatus, lancets, devices for measuring blood sugar, blood glucose meters

### Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
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False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1277867	Application Date	12/10/1981
Registration Date	05/15/1984	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1981/11/09 First Use In Commerce: 1981/11/09 a Blood Glucose Monitor		

U.S. Registration No.	2403536	Application Date	04/22/1999
Registration Date	11/14/2000	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK		
Design Mark	<p style="text-align: center;"><b>ACCU-CHEK</b></p>		
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 1998/04/01 First Use In Commerce: 1998/04/01 diagnostic test strips for determining the level of glucose in blood for medical and clinical use; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips for medical and clinical use</p> <p>Class 010. First use: First Use: 1998/04/01 First Use In Commerce: 1998/04/01 blood glucose monitors, lancets and a blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions</p>		

U.S. Registration No.	2628696	Application Date	09/03/1999
Registration Date	10/01/2002	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK COMPACT		
Design Mark	<p style="text-align: center;"><b>ACCU-CHEK COMPACT</b></p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2001/10/08 First Use In Commerce: 2001/10/08 blood glucose test strips for medical use; and control solutions for testing the		

	<p>accuracy of a blood glucose monitor for medical and clinical use</p> <p>Class 010. First use: First Use: 2001/10/08 First Use In Commerce: 2001/10/08</p> <p>blood glucose monitors, and blood glucose monitoring devices, namely a kit consisting of a blood glucose monitor, glucose test strips, lancets and control solutions for blood glucose monitoring</p>
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U.S. Registration No.	2651417	Application Date	05/08/2001
Registration Date	11/19/2002	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK		
Design Mark	<h1>ACCU-CHEK</h1>		
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use:</p> <p>In-vitro diagnostic agents for medical use; and chemical reagents for the verification of diagnostic findings for medical use</p> <p>Class 009. First use:</p> <p>Computer hardware and computer software for evaluation, verification and administration of medical data</p> <p>Class 010. First use:</p> <p>Computer hardware sold as a component of blood glucose monitors and computer software for use in operating such apparatus; electronic data management systems comprised of chemical analyzers, personal computers, electronic diaries, interfaces, modems and cables for clinical medical use; surgical and medical instruments, equipment and apparatus, namely, blood glucose monitors</p> <p>Class 041. First use:</p> <p>Education and teaching, namely, providing classes, workshops and seminars in the field of diabetes management, publication of printed products, namely books, brochures, leaflets, and journals related to the field of diabetes for professionals and patients</p> <p>Class 042. First use:</p> <p>Computer programming in the medical field for others; and services related to the field of diabetes for professionals and patients, namely medical consultation, documentation in the nature of maintaining files and records concerning the medical condition of individuals, weight reduction diet planning and supervision, and providing information about diabetes via a website on the Internet</p>		

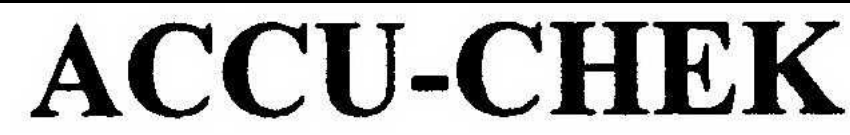
U.S. Registration No.	2681644	Application Date	06/14/2000
Registration Date	01/28/2003	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK COMPASS		

Design Mark	<b>ACCU-CHEK COMPASS</b>
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2001/03/16 First Use In Commerce: 2001/03/16 computer software for maintaining a database of blood test results from a blood glucose monitor for use by individuals with diabetes

U.S. Registration No.	2703048	Application Date	12/11/2000
Registration Date	04/01/2003	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK ACTIVE		
Design Mark	<b>ACCU-CHEK ACTIVE</b>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2001/08/08 First Use In Commerce: 2001/08/08 diagnostic test strips for determining levels of glucose in blood; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips, all sold over-the-counter to consumers for medical diagnostic use Class 010. First use: First Use: 2001/08/08 First Use In Commerce: 2001/08/08 blood glucose monitor; and a blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions, all sold over-the-counter to consumers for medical diagnostics		

U.S. Registration No.	2732629	Application Date	06/27/2000
Registration Date	07/01/2003	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK INFORM		
Design Mark	<b>ACCU-CHEK INFORM</b>		
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2001/04/30 First Use In Commerce: 2001/04/30 blood glucose monitor with data management capabilities		

U.S. Registration No.	3071846	Application Date	12/19/2003
Registration Date	03/21/2006	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK AVIVA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 2005/01/20 First Use In Commerce: 2005/07/15 Diagnostic test strips for determining levels of glucose in blood; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips all for medical diagnostic use</p> <p>Class 010. First use: First Use: 2005/01/20 First Use In Commerce: 2005/07/15 Blood glucose monitors; and blood glucose monitoring kits consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions all for medical diagnostic use</p>		

U.S. Registration No.	3076905	Application Date	08/27/2004
Registration Date	04/04/2006	Foreign Priority Date	04/02/2004
Word Mark	ACCU-CHEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 010. First use: Instruments, devices and apparatus for medical, surgical and veterinary purposes, namely, blood glucose meters, disposable infusion sets, lancets and insulin pumps and accessories therefor, namely, catheters, pen needles, syringes and patches</p> <p>Class 044. First use: Medical services in the field of diabetes; health care consultancy in the field of diabetes</p>		


U.S. Registration No.	3127170	Application Date	10/27/2004
Registration Date	08/08/2006	Foreign Priority Date	04/30/2004
Word Mark	ACCU-CHEK MULTICLIX		


Design Mark	<b>ACCU-CHEK MULTICLIX</b>
Description of Mark	NONE
Goods/Services	Class 010. First use: Lancet devices and lancets for obtaining blood


U.S. Registration No.	3194287	Application Date	08/27/2004
Registration Date	01/02/2007	Foreign Priority Date	07/13/2004
Word Mark	ACCU-CHEK SPIRIT		
Design Mark	<b>ACCU-CHEK SPIRIT</b>		
Description of Mark	NONE		
Goods/Services	Class 010. First use: Insulin pumps and accessories thereof, namely, catheters, infusion sets and tubing, pen needles, syringes, adapters, ampoules, batteries, filling devices used for filling ampoules for insulin pumps with insulin, sterile dressings and carrying cases		

U.S. Registration No.	3199675	Application Date	04/25/2005
Registration Date	01/16/2007	Foreign Priority Date	NONE
Word Mark	ACCU-CHEK TENDER		
Design Mark	<b>ACCU-CHEK TENDER</b>		
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2005/07/26 First Use In Commerce: 2005/07/26 medical instruments and apparatuses, namely, catheters and infusion sets and accessories thereof, namely, adapters and ampoules, all for the subcutaneous administration of drugs		

U.S. Registration No.	3202402	Application Date	09/09/2005
Registration Date	01/23/2007	Foreign Priority	03/15/2005

		Date	
Word Mark	ACCU-CHEK LINKASSIST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 010. First use: Medical instruments, namely, insertion tools for the insertion of needles and infusion sets all for the subcutaneous administration of insulin		

U.S. Registration No.	3223375	Application Date	04/06/2006
Registration Date	03/27/2007	Foreign Priority Date	10/12/2005
Word Mark	ACCU-CHEK PERFORMA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Diagnostic test strips for determining the levels of glucose in blood; control solutions used for quality checks on blood glucose monitors and diagnostic test strips, all for use by individuals with diabetes for medical diagnostic purposes and for use by hospitals Class 010. First use: Blood glucose monitors, blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions, all for use by individuals with diabetes for medical diagnostic purposes and for use by hospitals		

U.S. Registration No.	3256740	Application Date	08/16/2006
Registration Date	06/26/2007	Foreign Priority Date	02/16/2006
Word Mark	ACCU-CHEK 360Å°		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: Computer hardware and computer software for evaluation, verification and administration, of medical data; computer software for medical and diagnostic purposes, namely, for use in transferring data from blood glucose monitors or insulin pumps to electronic data management systems such as personal computers, electronic diaries, interfaces, modems and cables for clinical medical use		

U.S. Registration	3348704	Application Date	12/14/2005
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No.			
Registration Date	12/04/2007	Foreign Priority Date	06/17/2005
Word Mark	ACCU-CHEK CONNECT U		
Design Mark	<b>ACCU-CHEK CONNECT U</b>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: educational services, namely, on-line workshops, on-line seminars and on-line classes relating to health and medical information about monitoring diabetes, management of diabetes and use of meter devices, insulin pumps and accessories for use therefor		

U.S. Registration No.	3411797	Application Date	12/02/2005
Registration Date	04/15/2008	Foreign Priority Date	06/07/2005
Word Mark	ACCU-CHEK SMART PIX		
Design Mark	<b>ACCU-CHEK SMART PIX</b>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: Electronic apparatus for recording, transmission and presentation of medical data, namely, electronic readers for blood glucose meters and insulin pumps; software for medical purposes, namely, for formatting, viewing and transmitting medical data collected and stored on blood glucose meters and insulin pumps to a personal computer and vice versa		

Attachments	75688347#TMSN.gif ( 1 page )( bytes ) 75792547#TMSN.gif ( 1 page )( bytes ) 76254845#TMSN.gif ( 1 page )( bytes ) 76070019#TMSN.gif ( 1 page )( bytes ) 76178662#TMSN.gif ( 1 page )( bytes ) 76078713#TMSN.gif ( 1 page )( bytes ) 78343530#TMSN.jpeg ( 1 page )( bytes ) 79007860#TMSN.jpeg ( 1 page )( bytes ) 79014739#TMSN.jpeg ( 1 page )( bytes ) 79006404#TMSN.jpeg ( 1 page )( bytes ) 78615863#TMSN.jpeg ( 1 page )( bytes ) 79020212#TMSN.jpeg ( 1 page )( bytes ) 79025461#TMSN.gif ( 1 page )( bytes ) 79030312#TMSN.jpeg ( 1 page )( bytes ) 79020056#TMSN.jpeg ( 1 page )( bytes ) 79027969#TMSN.jpeg ( 1 page )( bytes ) BENECHECK Notice of Opposition.PDF ( 79 pages )(6265678 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Jennifer L. Day/
Name	Jennifer L. Day
Date	08/05/2009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Roche Diagnostics GmbH and	)	
Roche Diagnostics Operations, Inc.,	)	
	)	Opposition No. _____
Opposers,	)	
	)	
v.	)	Application Serial No. 79/060211
	)	
General Life Biotechnology Co., Ltd.,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

In the matter of General Life Biotechnology Co., Ltd.'s ("Applicant") application for registration of the trademark **BENECHECK** (Application Serial No. 79/060211, filed on August 10, 2008, claiming a priority date of May 21, 2008, and published on April 7, 2009).

Roche Diagnostics GmbH ("RDG") and Roche Diagnostics Operations, Inc. ("RDO") (collectively referred to herein as "Opposers") believe that they will be damaged by registration of the mark shown in said Application Serial No. 79/060211 (the "**BENECHECK** mark"), and hereby file this Notice of Opposition, pursuant to CFR § 2.104(b), to oppose same.

As grounds for opposition, it is alleged that:

1. Since before August 10, 2008, the U.S. filing date for Applicant's **BENECHECK** trademark application and before May 21, 2008, the claimed priority date for the application, Opposers have been continuously using in commerce several **ACCU-CHEK** marks to identify medical instruments and apparatus, and other products and services related to blood glucose monitoring and diabetes management and education. Opposers use these marks throughout the United States in connection with the products and services listed below.

2. RDG owns U.S. registrations and applications for and RDOI is an authorized licensee for the following marks, in addition to other **ACCU-CHEK** marks:

- a) **ACCU-CHEK** (Reg. No. 1,277,867, issued May 15, 1984) for a blood glucose monitor in Class 10. First use date is November 9, 1981. This registration is incontestable.
- b) **ACCU-CHEK** (Reg. No. 2,403,536, issued November 14, 2000) for diagnostic test strips for determining the level of glucose in blood for medical and clinical use; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips for medical and clinical use in Class 5; blood glucose monitors, lancets and a blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions in Class 10. First use date is April 1, 1998. This registration is incontestable.
- c) **ACCU-CHEK COMPACT** (Reg. No. 2,628,696, issued October 1, 2002) for blood glucose test strips for medical use; and control solutions for testing the accuracy of a blood glucose monitor for medical and clinical use in Class 5; and blood glucose monitors, and blood glucose monitoring devices, namely a kit consisting of a blood glucose monitor, glucose test strips, lancets and control solutions for blood glucose monitoring in Class 10. First use date is October 8, 2001. This registration is incontestable.
- d) **ACCU-CHEK** (Reg. No. 2,651,417, issued November 19, 2002) for in-vitro diagnostic agents for medical use; and chemical reagents for the verification of diagnostic findings for medical use in Class 5; computer hardware and computer software for evaluation, verification and administration of medical data in Class 9;

computer hardware sold as a component of blood glucose monitors and computer software for use in operating such apparatus; education and teaching, namely, providing classes, workshops and seminars in the field of diabetes management, publication of printed products, namely books, brochures, leaflets, and journals related to the field of diabetes for professionals and patients in Class 41; and electronic data management systems comprised of chemical analyzers, personal computers, electronic diaries, interfaces, modems and cables for clinical medical use; surgical and medical instruments, equipment and apparatus, namely, blood glucose monitors in Class 42. This registration is incontestable.

- e) **ACCU-CHEK COMPASS** (Reg. No. 2,681,644, issued January 28, 2003) for computer software for maintaining a database of blood test results from a blood glucose monitor for use by individuals with diabetes in Class 9. First use date is March 16, 2001. This registration is incontestable.
- f) **ACCU-CHEK ACTIVE** (Reg. No. 2,703,048, issued April 1, 2003) for diagnostic test strips for determining levels of glucose in blood; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips, all sold over-the-counter to consumers for medical diagnostic use in Class 5; and blood glucose monitor; and a blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions, all sold over-the-counter to consumers for medical diagnostics in Class 10. First use date is August 8, 2001. This registration is incontestable.

- g) **ACCU-CHEK INFORM** (Reg. No. 2,732,629, issued July 1, 2003) for blood glucose monitor with data management capabilities in Class 10. First use date is April 30, 2001. This registration is incontestable.
- h) **ACCU-CHEK AVIVA** (Reg. No. 3,071,846, issued March 21, 2006) for Diagnostic test strips for determining levels of glucose in blood; and control solutions used for quality checks on blood glucose monitors and diagnostic test strips all for medical diagnostic use in Class 5 and Blood glucose monitors; and blood glucose monitoring kits consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions all for medical diagnostic use in Class 10. First use date is January 20, 2005.
- i) **ACCU-CHEK** (Reg. No. 3,076,905, issued April 4, 2006) for Instruments, devices and apparatus for medical, surgical and veterinary purposes, namely, blood glucose meters, disposable infusion sets, lancets and insulin pumps and accessories therefor, namely, catheters, pen needles, syringes and patches in Class 10 and Medical services in the field of diabetes; health care consultancy in the field of diabetes in Class 44.
- j) **ACCU-CHEK MULTICLIX** (Reg. No. 3,127,170, issued August 8, 2006) for Lancet devices and lancets for obtaining blood in Class 10.
- k) **ACCU-CHEK SPIRIT** (Reg. No. 3,194,287, issued January 2, 2007) for Insulin pumps and accessories thereof, namely, catheters, infusion sets and tubing, pen needles, syringes, adapters, ampoules, batteries, filling devices used for filling ampoules for insulin pumps with insulin, sterile dressings and carrying cases in Class 10.

- l) **ACCU-CHEK TENDER** (Reg. No. 3,199,675, issued January 16, 2007) for Medical instruments and apparatuses, namely, catheters and infusion sets and accessories thereof, namely, adapters and ampoules, all for the subcutaneous administration of drugs in Class 10. The date of first use is July 26, 2005.
- m) **ACCU-CHEK LINKASSIST** (Reg. No. 3,202,402, issued January 23, 2007) for Medical instruments, namely, insertion tools for the insertion of needles and infusion sets all for the subcutaneous administration of insulin in Class 10.
- n) **ACCU-CHEK PERFORMA** (Reg. No. 3,223,375, issued March 27, 2007) for Diagnostic test strips for determining the levels of glucose in blood; control solutions used for quality checks on blood glucose monitors and diagnostic test strips, all for use by individuals with diabetes for medical diagnostic purposes and for use by hospitals in Class 5; Blood glucose monitors, blood glucose monitoring kit consisting of a blood glucose monitor, diagnostic test strips, lancets and control solutions, all for use by individuals with diabetes for medical diagnostic purposes and for use by hospitals in Class 10.
- o) **ACCU-CHEK 360<sup>+</sup>** (Reg. No. 3,256,740, issued June 26, 2007) for Computer hardware and computer software for evaluation, verification and administration, of medical data; computer software for medical and diagnostic purposes, namely, for use in transferring data from blood glucose monitors or insulin pumps to electronic data management systems such as personal computers, electronic diaries, interfaces, modems and cables for clinical use in Class 9.
- p) **ACCU-CHEK CONNECT U** (Reg. No. 3,348,704, issued December 4, 2007) for Educational services, namely, on-line workshops, on-line seminars and on-line

classes relating to health and medical information about monitoring diabetes, management of diabetes and use of meter devices, insulin pumps and accessories for use therefor in Class 41.

- q) **ACCU-CHEK SMART PIX** (Reg. No. 3,411,797, issued April 15, 2008) for Electronic apparatus for recording, transmission and presentation of medical data, namely, electronic readers for blood glucose meters and insulin pumps; software for medical purposes, namely, for formatting, viewing and transmitting medical data collected and stored on blood glucose meters and insulin pumps to a personal computer and vice versa in Class 9.

3. Pursuant to 37 CFR § 2.122(d)(1), two (2) copies of each of Registration Nos. 1,277,867; 2,403,536; 2,628,696; 2,651,417; 2,681,644; 2,703,048; 2,732,629; 3,071,846; 3,076,905; 3,127,170; 3,194,287; 3,199,675; 3,202,402; 3,273,375; 3,256,740; 3,348,704; and 3,411,797, prepared and issued by the PTO, are attached to this Notice of Opposition as Exhibit A.

4. Opposers' first use dates and registration dates for the **ACCU-CHEK** marks cited above are earlier than the actual filing date and the claimed priority date of Applicant's application for the **BENECHECK** mark. Therefore, Opposer's **ACCU-CHEK** marks are senior to Applicant's **BENECHECK** mark.

5. Based on Opposers' long-standing and consistent use of the **ACCU-CHEK** marks, coupled with the considerable time, effort and money that Opposers have spent on advertising and promoting the **ACCU-CHEK** marks, the relevant public and trade recognize the **ACCU-CHEK** marks as being associated with Opposers.

6. As a result of the recognition of Opposers' **ACCU-CHEK** marks, the **-CHEK** component of Opposers' **ACCU-CHEK** marks has acquired distinctiveness in its own right when that **-CHEK** component is used in connection with products and services related to blood glucose monitoring and diabetes management and education.

7. On information and belief, Applicant intends to use the **BENECHECK** mark in connection with "Needles for medical purposes, blood pressure monitors, blood testing apparatus, lancets, electrochemical sensors for determination of analyte concentrations in fluids for medical purposes, devices for measuring blood sugar, apparatus for clinical diagnosis, medical instruments, namely, biosensors for detecting infectious diseases, medical diagnostic apparatus, analytical apparatus for medical purposes and blood pressure measuring apparatus, blood glucose meters, telemetry devices for medical applications" in Class 010. In this Notice of Opposition, Opposers are opposing the registration of the **BENECHECK** mark with respect to the following goods: blood testing apparatus, lancets, devices for measuring blood sugar, blood glucose meters (the "Challenged Goods").

8. On information and belief, the Challenged Goods of Applicant will be competitive with the products and services offered and sold by Opposers under the **ACCU-CHEK** marks and are likely to be purchased and used by the same class of purchasers.

9. On information and belief, Applicant was aware of Opposers' **ACCU-CHEK** marks and trademark registrations prior to selecting, adopting and filing an application to register its **BENECHECK** mark.

10. Because the **-CHECK** portion of Applicant's **BENECHECK** mark is substantially similar in sight to Opposers' **-CHEK** component and the terms sound the same when spoken, and because Opposers' **-CHEK** component has acquired distinctiveness in



connection with Opposers' products and services related to blood glucose monitoring and diabetes management and education, Applicant's **BENECHECK** mark is so confusingly similar in appearance, sound, meaning and commercial impression to Opposers' **ACCU-CHEK** marks, which the public and trade already recognize and associate with Opposers, so as to cause confusion, to cause mistake or to deceive purchasers as to the source of Applicant's goods, or to some affiliation, connection or sponsorship between Opposers and Applicant.

11. If Applicant were permitted to use and register its **BENECHECK** mark for the Challenged Goods, confusion among consumers resulting in damage and injury to Opposers would be caused by virtue of the related nature of Opposers' goods and services and the Challenged Goods covered by the **BENECHECK** mark.

12. Opposers have expended considerable time, effort and money in advertising and otherwise promoting the **ACCU-CHEK** marks and in encouraging the public and trade to recognize the **ACCU-CHEK** marks and the **-CHEK** component that unless refused, the registration obtained by Applicant covering the Challenged Goods would enable Applicant to reap the benefits of the goodwill attached to Opposers' **ACCU-CHEK** marks and the **-CHEK** component, and Opposers will suffer irreparable damage and injury as a result of the confusion that is likely to arise.

13. Any defect, objection or fault found with any of the Challenged Goods provided by Applicant under the **BENECHECK** mark would necessarily reflect on and seriously injure the high quality reputation that Opposers have established and currently enjoy under the **ACCU-CHEK** marks.

Wherefore, Opposers pray that Application Serial No. 79/060211 be rejected for the Challenged Goods, that no registration be issued thereon to Applicant for the Challenged Goods, and that this opposition be sustained in favor of Opposers.

Opposers appoint Craig E. Pinkus, Melinda R. Shapiro, James A. Coles and Jennifer L. Day, along with the law firm of Bose McKinney & Evans LLP, to transact all business on its behalf in connection with this opposition proceeding.

Respectfully submitted,

August 5, 2009

  
Attorneys for Opposers  
Craig E. Pinkus  
Melinda R. Shapiro  
Jennifer L. Day  
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Telephone: (317) 684-5000  
Facsimile: (317) 684-5173  
trademark@boselaw.com  
jday@boselaw.com

**Exhibit A**

Copies of Opposers' Registration Certificates



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009


THE ATTACHED U.S. TRADEMARK REGISTRATION 1,277,867 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *May 15, 1984*  
*1st* RENEWAL FOR A TERM OF 10 YEARS FROM *May 15, 2004*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*ROCHE DIAGNOSTICS GMBH*  
*A LIMITED LIABILITY COMPANY*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
*T. Wallace*  
T. WALLACE  
Certifying Officer

**Int. Cl.: 9**

**Prior U.S. Cls.: 26 and 44**

**Reg. No. 1,277,867**

**United States Patent and Trademark Office**

**Registered May 15, 1984**

**TRADEMARK**  
**Principal Register**

**ACCU-CHEK**

Boehringer Mannheim GmbH (Fed. Rep. of Germany  
corporation)  
Mannheim, Fed. Rep. of Germany, assignee of  
Boehringer Mannheim Corporation (New York  
corporation)  
Indianapolis, Ind.

For: A BLOOD GLUCOSE MONITOR, in  
CLASS 9 (U.S. Cls. 26 and 44).  
First use Nov. 9, 1981; in commerce Nov. 9, 1981.

Ser. No. 340,850, filed Dec. 10, 1981.

MARY I. SPARROW, Examining Attorney



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,277,867 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM May 15, 1984

1st RENEWAL FOR A TERM OF 10 YEARS FROM May 15, 2004

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*ROCHE DIAGNOSTICS GMBH*

*A LIMITED LIABILITY COMPANY*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
T. WALLACE

Certifying Officer



**Int. Cl.: 9**

**Prior U.S. Cls.: 26 and 44**

**Reg. No. 1,277,867**

**Registered May 15, 1984**

**United States Patent and Trademark Office**

**TRADEMARK**

**Principal Register**

**ACCU-CHEK**

**Boehringer Mannheim GmbH (Fed. Rep. of Germany  
corporation)**

**Mannheim, Fed. Rep. of Germany, assignee of  
Boehringer Mannheim Corporation (New York  
corporation)**

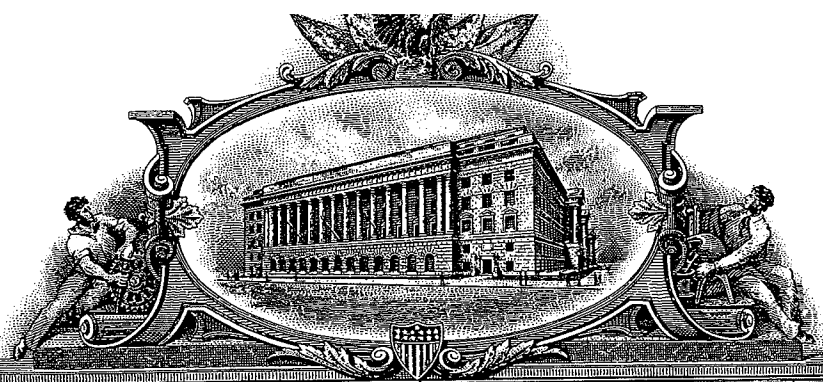
**Indianapolis, Ind.**

**For: A BLOOD GLUCOSE MONITOR, in  
CLASS 9 (U.S. Cls. 26 and 44).**

**First use Nov. 9, 1981; in commerce Nov. 9, 1981.**

**Ser. No. 340,850, filed Dec. 10, 1981.**

**MARY I. SPARROW, Examining Attorney**



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,403,536 IS  
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REGISTERED FOR A TERM OF 10 YEARS FROM *November 14, 2000*  
SECTION 8 & 15

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By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE  
Certifying Officer





**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52**

**Reg. No. 2,403,536**

**United States Patent and Trademark Office**

**Registered Nov. 14, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK**

ROCHE DIAGNOSTICS GMBH (FED REP GERMANY  
LIMITED LIABILITY COMPANY), FORMERLY  
BOEHRINGER MANNHEIM GMBH  
SANDHOFER STRASSE 116  
D-68298 MANNHEIM, FED REP GERMANY

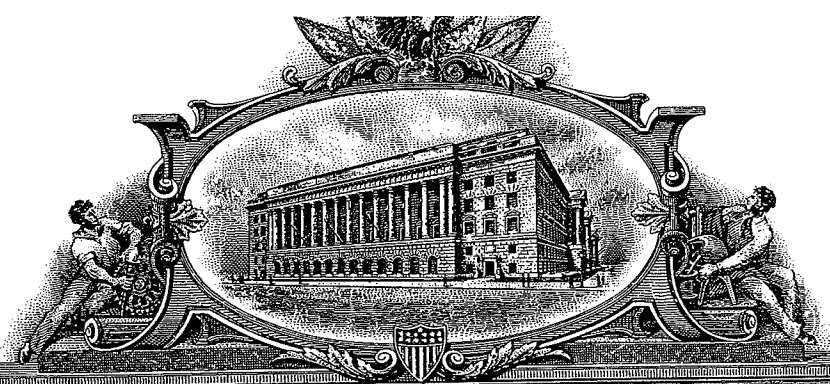
FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING THE LEVEL OF GLUCOSE IN BLOOD FOR  
MEDICAL AND CLINICAL USE; AND CONTROL  
SOLUTIONS USED FOR QUALITY CHECKS ON  
BLOOD GLUCOSE MONITORS AND DIAGNOSTIC  
TEST STRIPS FOR MEDICAL AND CLINICAL USE,  
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-1-1998; IN COMMERCE 4-1-1998.  
FOR: BLOOD GLUCOSE MONITORS, LANCETS  
AND A BLOOD GLUCOSE MONITORING KIT CON-  
SISTING OF A BLOOD GLUCOSE MONITOR, DIAG-  
NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS, IN CLASS 10 (U.S. CLS. 26, 39 AND  
44).

FIRST USE 4-1-1998; IN COMMERCE 4-1-1998.  
OWNER OF U.S. REG. NO. 1,277,867.

SER. NO. 75-688,347, FILED 4-22-1999.

JENNIFER CHICOSKI, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

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United States Patent and Trademark Office

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T. WALLACE

Certifying Officer



**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52**

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**United States Patent and Trademark Office**

**Registered Nov. 14, 2000**

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D-68298 MANNHEIM, FED REP GERMANY

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
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FIRST USE 4-1-1998; IN COMMERCE 4-1-1998.  
FOR: BLOOD GLUCOSE MONITORS, LANCETS  
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SISTING OF A BLOOD GLUCOSE MONITOR, DIAG-  
NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS, IN CLASS 10 (U.S. CLS. 26, 39 AND  
44).

FIRST USE 4-1-1998; IN COMMERCE 4-1-1998.  
OWNER OF U.S. REG. NO. 1,277,867.

SER. NO. 75-688,347, FILED 4-22-1999.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,628,696 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 01, 2002*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE

Certifying Officer



**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,628,696**

**Registered Oct. 1, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK COMPACT**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED LIABILITY COMPANY)  
SANDHOFFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: BLOOD GLUCOSE TEST STRIPS FOR MED-  
ICAL USE; AND CONTROL SOLUTIONS FOR TEST-  
ING THE ACCURACY OF A BLOOD GLUCOSE  
MONITOR FOR MEDICAL AND CLINICAL USE, IN  
CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 10-8-2001; IN COMMERCE 10-8-2001.

FOR: BLOOD GLUCOSE MONITORS, AND  
BLOOD GLUCOSE MONITORING DEVICES,  
NAMELY A KIT CONSISTING OF A BLOOD GLU-  
COSE MONITOR, GLUCOSE TEST STRIPS, LAN-

CETS AND CONTROL SOLUTIONS FOR BLOOD  
GLUCOSE MONITORING, IN CLASS 10 (U.S. CLS.  
26, 39 AND 44).

FIRST USE 10-8-2001; IN COMMERCE 10-8-2001.

OWNER OF U.S. REG. NO. 1,277,867.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COMPACT", APART FROM THE  
MARK AS SHOWN.

SN 75-792,547, FILED 9-3-1999.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,628,696 IS  
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PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 01, 2002*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE  
Certifying Officer



**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,628,696**

**Registered Oct. 1, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK COMPACT**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED LIABILITY COMPANY)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: BLOOD GLUCOSE TEST STRIPS FOR MED-  
ICAL USE; AND CONTROL SOLUTIONS FOR TEST-  
ING THE ACCURACY OF A BLOOD GLUCOSE  
MONITOR FOR MEDICAL AND CLINICAL USE, IN  
CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 10-8-2001; IN COMMERCE 10-8-2001.

FOR: BLOOD GLUCOSE MONITORS, AND  
BLOOD GLUCOSE MONITORING DEVICES,  
NAMELY A KIT CONSISTING OF A BLOOD GLU-  
COSE MONITOR, GLUCOSE TEST STRIPS, LAN-

CETS AND CONTROL SOLUTIONS FOR BLOOD  
GLUCOSE MONITORING, IN CLASS 10 (U.S. CLS.  
26, 39 AND 44).

FIRST USE 10-8-2001; IN COMMERCE 10-8-2001.

OWNER OF U.S. REG. NO. 1,277,867.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COMPACT", APART FROM THE  
MARK AS SHOWN.

SN 75-792,547, FILED 9-3-1999.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 24, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,651,417 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *November 19, 2002*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*N. Williams*  
N. WILLIAMS

Certifying Officer





**Int. Cls.: 5, 9, 10, 41 and 42**

**Prior U.S. Cls.: 6, 18, 21, 23, 26, 36, 38, 39, 44, 46, 51,  
52, 100, 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 2,651,417**

**Registered Nov. 19, 2002**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ACCU-CHEK**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY CORPORATION)  
SANDERHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: IN-VITRO DIAGNOSTIC AGENTS FOR  
MEDICAL USE; AND CHEMICAL REAGENTS  
FOR THE VERIFICATION OF DIAGNOSTIC FIND-  
INGS FOR MEDICAL USE, IN CLASS 5 (U.S. CLS. 6,  
18, 44, 46, 51 AND 52).

FOR: COMPUTER HARDWARE AND COMPU-  
TER SOFTWARE FOR EVALUATION, VERIFICA-  
TION AND ADMINISTRATION OF MEDICAL  
DATA, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: COMPUTER HARDWARE SOLD AS A  
COMPONENT OF BLOOD GLUCOSE MONITORS  
AND COMPUTER SOFTWARE FOR USE IN OPER-  
ATING SUCH APPARATUS; ELECTRONIC DATA  
MANAGEMENT SYSTEMS COMPRISED OF CHE-  
MICAL ANALYZERS, PERSONAL COMPUTERS,  
ELECTRONIC DIARIES, INTERFACES, MODEMS  
AND CABLES FOR CLINICAL MEDICAL USE;  
SURGICAL AND MEDICAL INSTRUMENTS,  
EQUIPMENT AND APPARATUS, NAMELY,  
BLOOD GLUCOSE MONITORS, IN CLASS 10 (U.S.  
CLS. 26, 39 AND 44).

FOR: EDUCATION AND TEACHING, NAMELY,  
PROVIDING CLASSES, WORKSHOPS AND SEMI-

NARS IN THE FIELD OF DIABETES MANAGE-  
MENT, PUBLICATION OF PRINTED PRODUCTS,  
NAMELY BOOKS, BROCHURES, LEAFLETS, AND  
JOURNALS RELATED TO THE FIELD OF DIA-  
BETES FOR PROFESSIONALS AND PATIENTS, IN  
CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: COMPUTER PROGRAMMING IN THE  
MEDICAL FIELD FOR OTHERS; AND SERVICES  
RELATED TO THE FIELD OF DIABETES FOR  
PROFESSIONALS AND PATIENTS, NAMELY MED-  
ICAL CONSULTATION, DOCUMENTATION IN  
THE NATURE OF MAINTAINING FILES AND  
RECORDS CONCERNING THE MEDICAL CONDI-  
TION OF INDIVIDUALS, WEIGHT REDUCTION  
DIET PLANNING AND SUPERVISION, AND PRO-  
VIDING INFORMATION ABOUT DIABETES VIA A  
WEBSITE ON THE INTERNET, IN CLASS 42 (U.S.  
CLS. 100 AND 101).

OWNER OF FED REP GERMANY REG. NO.  
39963905, DATED 12-22-1999, EXPIRES 10-31-2009.

OWNER OF U.S. REG. NOS. 1,277,867, 2,336,435,  
AND 2,403,536.

SER. NO. 76-254,845, FILED 5-8-2001.

JENNIFER CHICOSKI, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**March 24, 2009**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,651,417 IS  
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**REGISTERED FOR A TERM OF 10 YEARS FROM *November 19, 2002***

**SECTION 8 & 15**

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**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**N. WILLIAMS**

**Certifying Officer**



**Int. Cls.: 5, 9, 10, 41 and 42**

**Prior U.S. Cls.: 6, 18, 21, 23, 26, 36, 38, 39, 44, 46, 51,  
52, 100, 101 and 107**

**Reg. No. 2,651,417**

**United States Patent and Trademark Office**

**Registered Nov. 19, 2002**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ACCU-CHEK**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY CORPORATION)  
SANDERHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: IN-VITRO DIAGNOSTIC AGENTS FOR  
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OWNER OF FED REP GERMANY REG. NO.  
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SER. NO. 76-254,845, FILED 5-8-2001.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142

# THE UNITED STATES OF AMERICA

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**United States Patent and Trademark Office**

**March 24, 2009**

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**REGISTERED FOR A TERM OF 10 YEARS FROM *January 28, 2003***

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**N. WILLIAMS**

**Certifying Officer**



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**United States Patent and Trademark Office**

**Reg. No. 2,681,644**

**Registered Jan. 28, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK COMPASS**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FIRST USE 3-16-2001; IN COMMERCE 3-16-2001.

OWNER OF U.S. REG. NOS. 1,277,867 AND  
2,403,536.

FOR: COMPUTER SOFTWARE FOR MAINTAIN-  
ING A DATABASE OF BLOOD TEST RESULTS  
FROM A BLOOD GLUCOSE MONITOR FOR USE  
BY INDIVIDUALS WITH DIABETES , IN CLASS 9  
(U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-070,019, FILED 6-14-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY



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**United States Patent and Trademark Office**

**March 24, 2009**

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**REGISTERED FOR A TERM OF 10 YEARS FROM *January 28, 2003***

**SECTION 8 & 15**

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***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



**N. WILLIAMS**

**Certifying Officer**



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**United States Patent and Trademark Office**

**Reg. No. 2,681,644**

**Registered Jan. 28, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

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SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FIRST USE 3-16-2001; IN COMMERCE 3-16-2001.

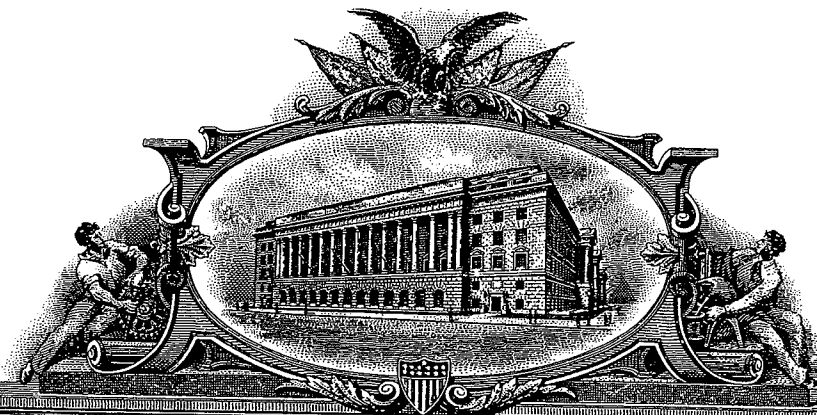
OWNER OF U.S. REG. NOS. 1,277,867 AND  
2,403,536.

FOR: COMPUTER SOFTWARE FOR MAINTAIN-  
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FROM A BLOOD GLUCOSE MONITOR FOR USE  
BY INDIVIDUALS WITH DIABETES , IN CLASS 9  
(U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-070,019, FILED 6-14-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

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**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**March 24, 2009**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,703,048 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 01, 2003***

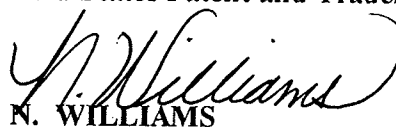
**SECTION 8 & 15**

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***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**N. WILLIAMS**

**Certifying Officer**





**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,703,048**

**Registered Apr. 1, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK ACTIVE**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED LIABILITY COMPANY)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING LEVELS OF GLUCOSE IN BLOOD; AND  
CONTROL SOLUTIONS USED FOR QUALITY  
CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS, ALL SOLD OVER-THE-  
COUNTER TO CONSUMERS FOR MEDICAL DIAG-  
NOSTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51  
AND 52).

FIRST USE 8-8-2001; IN COMMERCE 8-8-2001.

FOR: BLOOD GLUCOSE MONITOR; AND A  
BLOOD GLUCOSE MONITORING KIT CONSIST-  
ING OF A BLOOD GLUCOSE MONITOR, DIAG-  
NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS, ALL SOLD OVER-THE-COUNTER TO  
CONSUMERS FOR MEDICAL DIAGNOSTICS, IN  
CLASS 10 (U.S. CLS. 26, 39 AND 44).

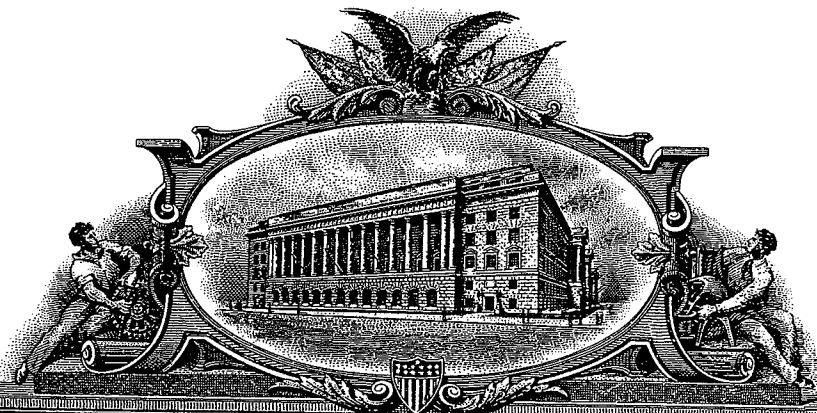
FIRST USE 8-8-2001; IN COMMERCE 8-8-2001.

OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957,  
AND OTHERS.

SN 76-178,662, FILED 12-11-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**March 24, 2009**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,703,048 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 01, 2003***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

  
**N. WILLIAMS**

**Certifying Officer**



**Int. Cls.: 5 and 10**

**Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,703,048**

**Registered Apr. 1, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK ACTIVE**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED LIABILITY COMPANY)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING LEVELS OF GLUCOSE IN BLOOD; AND  
CONTROL SOLUTIONS USED FOR QUALITY  
CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS, ALL SOLD OVER-THE-  
COUNTER TO CONSUMERS FOR MEDICAL DIAG-  
NOSTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51  
AND 52).

FIRST USE 8-8-2001; IN COMMERCE 8-8-2001.

FOR: BLOOD GLUCOSE MONITOR; AND A  
BLOOD GLUCOSE MONITORING KIT CONSIST-  
ING OF A BLOOD GLUCOSE MONITOR, DIAG-  
NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS, ALL SOLD OVER-THE-COUNTER TO  
CONSUMERS FOR MEDICAL DIAGNOSTICS, IN  
CLASS 10 (U.S. CLS. 26, 39 AND 44).

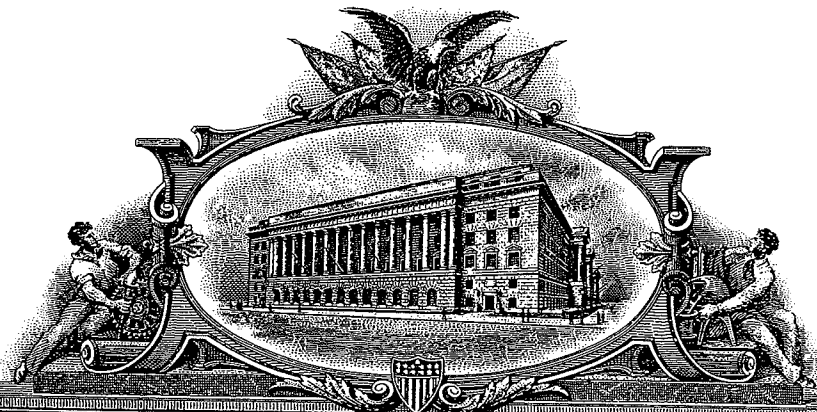
FIRST USE 8-8-2001; IN COMMERCE 8-8-2001.

OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957,  
AND OTHERS.

SN 76-178,662, FILED 12-11-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 20, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,732,629 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 01, 2003*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE  
Certifying Officer



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39, and 44**

**Reg. No. 2,732,629**

**United States Patent and Trademark Office**

**Registered July 1, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK INFORM**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED LIABILITY COMPANY)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: BLOOD GLUCOSE MONITOR WITH DATA  
MANAGEMENT CAPABILITIES, IN CLASS 10 (U.S.  
CLS. 26, 39 AND 44).

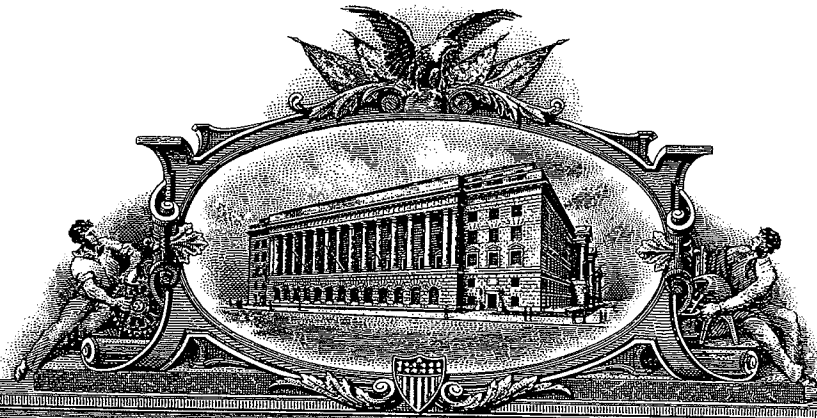
FIRST USE 4-30-2001; IN COMMERCE 4-30-2001.

OWNER OF U.S. REG. NO. 2,336,435.

SN 76-078,713, FILED 6-27-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 20, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,732,629 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 01, 2003*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*T. Wallace*  
T. WALLACE

Certifying Officer



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39, and 44**

**United States Patent and Trademark Office**

**Reg. No. 2,732,629**

**Registered July 1, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK INFORM**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
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SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: BLOOD GLUCOSE MONITOR WITH DATA  
MANAGEMENT CAPABILITIES, IN CLASS 10 (U.S.  
CLS. 26, 39 AND 44).

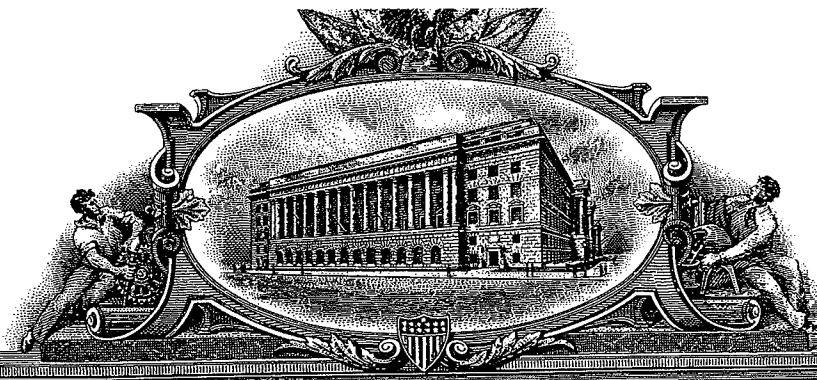
FIRST USE 4-30-2001; IN COMMERCE 4-30-2001.

OWNER OF U.S. REG. NO. 2,336,435.

SN 76-078,713, FILED 6-27-2000.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**March 23, 2009**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,071,846 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *March 21, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE  
Certifying Officer**





Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52

**United States Patent and Trademark Office**

**Reg. No. 3,071,846**

Registered Mar. 21, 2006

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK AVIVA**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFER STRASSE 116  
MANNHEIM, FED REP GERMANY D-68305

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING LEVELS OF GLUCOSE IN BLOOD; AND  
CONTROL SOLUTIONS USED FOR QUALITY  
CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS ALL FOR MEDICAL  
DIAGNOSTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44,  
46, 51 AND 52).

FIRST USE 1-20-2005; IN COMMERCE 7-15-2005.

FOR: BLOOD GLUCOSE MONITORS; AND  
BLOOD GLUCOSE MONITORING KITS CONSIST-  
ING OF A BLOOD GLUCOSE MONITOR, DIAG-

NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS ALL FOR MEDICAL DIAGNOSTIC\*  
USE, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

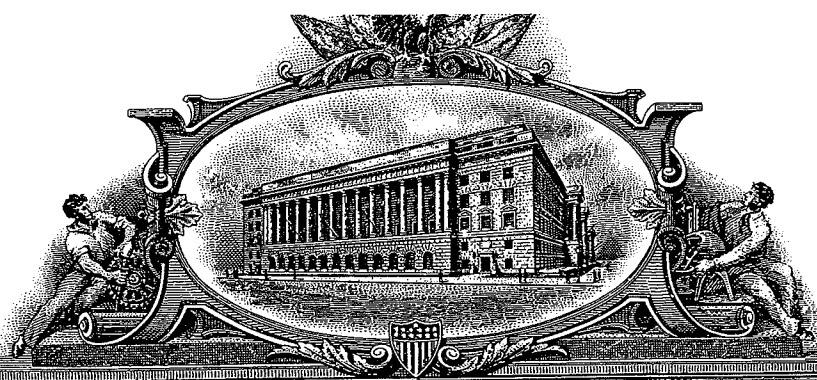
FIRST USE 1-20-2005; IN COMMERCE 7-15-2005.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,277,867, 2,732,629,  
AND OTHERS.

SN 78-343,530, FILED 12-19-2003.

KATHERINE STOIDES, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

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T. LAWRENCE

Certifying Officer



Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51, and 52

**United States Patent and Trademark Office**

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Registered Mar. 21, 2006

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PRINCIPAL REGISTER**

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MANNHEIM, FED REP GERMANY D-68305

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CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS ALL FOR MEDICAL  
DIAGNOSTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44,  
46, 51 AND 52).

FIRST USE 1-20-2005; IN COMMERCE 7-15-2005.

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NOSTIC TEST STRIPS, LANCETS AND CONTROL  
SOLUTIONS ALL FOR MEDICAL DIAGNOSTIC  
USE, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 1-20-2005; IN COMMERCE 7-15-2005.

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FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,277,867, 2,732,629,  
AND OTHERS.

SN 78-343,530, FILED 12-19-2003.

KATHERINE STOIDES, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,076,905 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 04, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



T. LAWRENCE

Certifying Officer



**Int. Cls.: 10 and 44**

**Prior U.S. Cls.: 26, 39, 44, 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,076,905**

**Registered Apr. 4, 2006**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ACCU-CHEK**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR: INSTRUMENTS, DEVICES AND APPARA-  
TUS FOR MEDICAL, SURGICAL AND VETERIN-  
ARY PURPOSES, NAMELY, BLOOD GLUCOSE  
METERS, DISPOSABLE INFUSION SETS, LANCETS  
AND INSULIN PUMPS AND ACCESSORIES  
THEREFOR, NAMELY, CATHETERS, PEN NEE-  
DLES, SYRINGES AND PATCHES, IN CLASS 10  
(U.S. CLS. 26, 39 AND 44).

FOR: MEDICAL SERVICES IN THE FIELD OF  
DIABETES; HEALTH CARE CONSULTANCY IN  
THE FIELD OF DIABETES, IN CLASS 44 (U.S. CLS.  
100 AND 101).

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

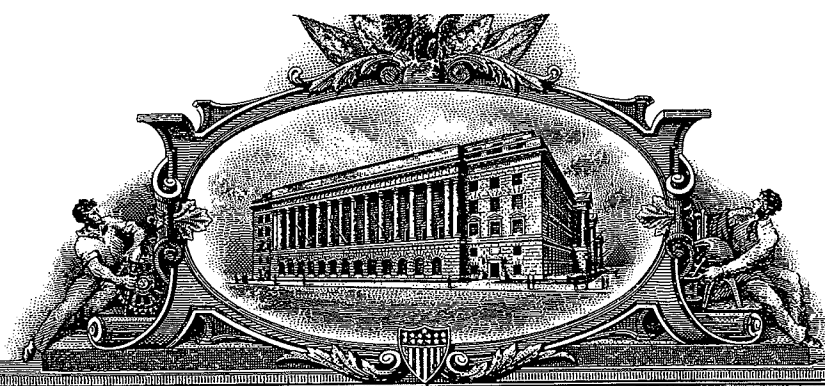
PRIORITY DATE OF 4-2-2004 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0840313 DATED 8-27-2004, EXPIRES 8-27-2014.

OWNER OF U.S. REG. NOS. 1,277,867, 2,703,048  
AND OTHERS.

SER. NO. 79-007,860, FILED 8-27-2004.

ROBERT LAVACHE, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,076,905 IS  
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REGISTERED FOR A TERM OF 10 YEARS FROM *April 04, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
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and Director of the United States Patent and Trademark Office

T. LAWRENCE  
Certifying Officer



Int. Cls.: 10 and 44

Prior U.S. Cls.: 26, 39, 44, 100 and 101

United States Patent and Trademark Office

Reg. No. 3,076,905

Registered Apr. 4, 2006

TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER

**ACCU-CHEK**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR: INSTRUMENTS, DEVICES AND APPARA-  
TUS FOR MEDICAL, SURGICAL AND VETERIN-  
ARY PURPOSES, NAMELY, BLOOD GLUCOSE  
METERS, DISPOSABLE INFUSION SETS, LANCETS  
AND INSULIN PUMPS AND ACCESSORIES  
THEREFOR, NAMELY, CATHETERS, PEN NEE-  
DLES, SYRINGES AND PATCHES, IN CLASS 10  
(U.S. CLS. 26, 39 AND 44).

FOR: MEDICAL SERVICES IN THE FIELD OF  
DIABETES; HEALTH CARE CONSULTANCY IN  
THE FIELD OF DIABETES, IN CLASS 44 (U.S. CLS.  
100 AND 101).

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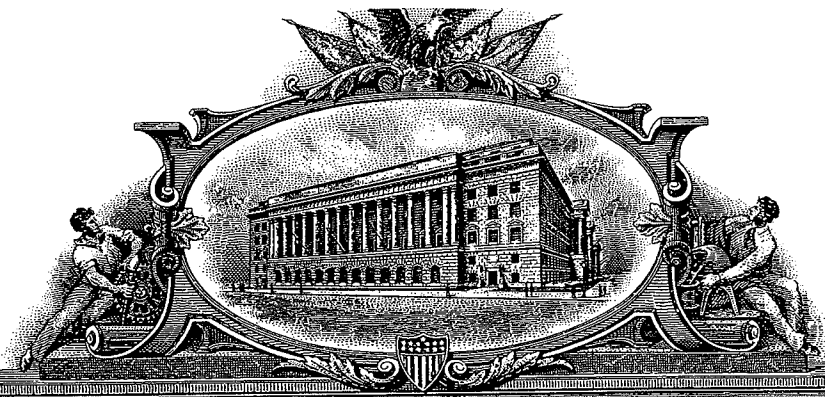
PRIORITY DATE OF 4-2-2004 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0840313 DATED 8-27-2004, EXPIRES 8-27-2014.

OWNER OF U.S. REG. NOS. 1,277,867, 2,703,048  
AND OTHERS.

SER. NO. 79-007,860, FILED 8-27-2004.

ROBERT LAVACHE, EXAMINING ATTORNEY



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**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,127,170 IS  
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THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 08, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

**T. LAWRENCE**

**Certifying Officer**





Int. Cl.: 10

Prior U.S. Cls.: 26, 39 and 44

**United States Patent and Trademark Office**

**Reg. No. 3,127,170**

Registered Aug. 8, 2006

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK MULTICLIX**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

OWNER OF INTERNATIONAL REGISTRATION  
0860345 DATED 10-27-2004, EXPIRES 10-27-2014.

FOR: LANCET DEVICES AND LANCETS FOR  
OBTAINING BLOOD, IN CLASS 10 (U.S. CLS. 26, 39  
AND 44).

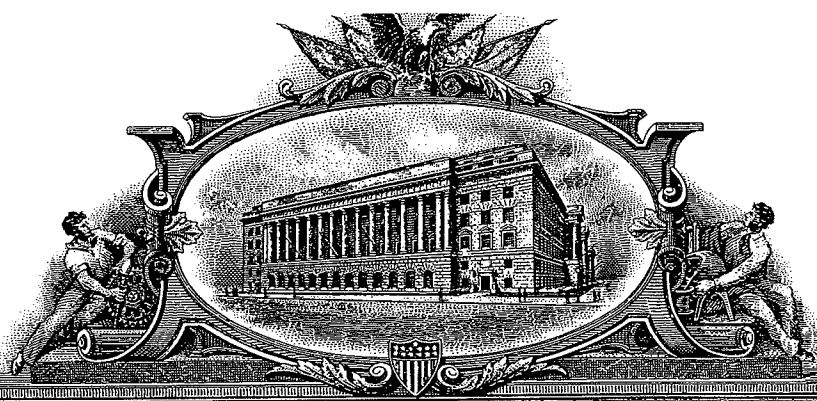
OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957  
AND OTHERS.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 79-014,739, FILED 10-27-2004.

PRIORITY DATE OF 4-30-2004 IS CLAIMED.

LINDA ORNDORFF, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,127,170 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
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REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 08, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

T. LAWRENCE

Certifying Officer



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39 and 44**

**United States Patent and Trademark Office**

**Reg. No. 3,127,170**

**Registered Aug. 8, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK MULTICLIX**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

OWNER OF INTERNATIONAL REGISTRATION  
0860345 DATED 10-27-2004, EXPIRES 10-27-2014.

FOR: LANCET DEVICES AND LANCETS FOR  
OBTAINING BLOOD, IN CLASS 10 (U.S. CLS. 26, 39  
AND 44).

OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957  
AND OTHERS.

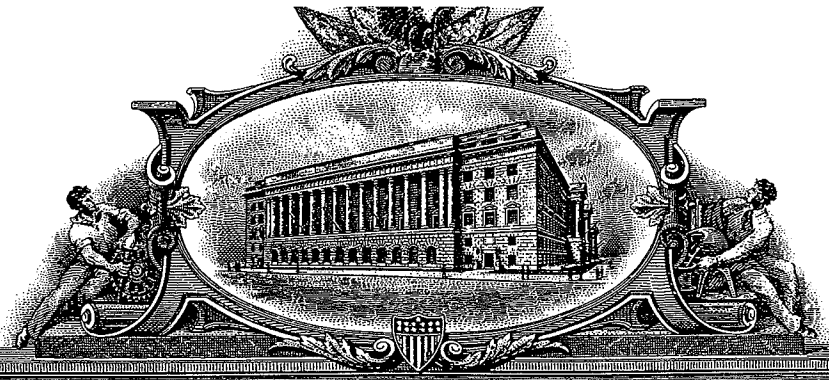
THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 79-014,739, FILED 10-27-2004.

PRIORITY DATE OF 4-30-2004 IS CLAIMED.

LINDA ORNDORFF, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**March 23, 2009**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,194,287 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 02, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

**T. LAWRENCE  
Certifying Officer**



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39 and 44**

**United States Patent and Trademark Office**

**Reg. No. 3,194,287**

**Registered Jan. 2, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK SPIRIT**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFER STRAßE 116  
D-68305 MANNHEIM  
FED REP GERMANY

PRIORITY DATE OF 7-13-2004 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0836316 DATED 8-27-2004, EXPIRES 8-27-2014.

FOR: INSULIN PUMPS AND ACCESSORIES  
THEREOF, NAMELY, CATHETERS, INFUSION  
SETS AND TUBING, PEN NEEDLES, SYRINGES,  
ADAPTERS, AMPOULES, BATTERIES, FILLING  
DEVICES USED FOR FILLING AMPOULES FOR  
INSULIN PUMPS WITH INSULIN, STERILE DRES-  
SINGS AND CARRYING CASES, IN CLASS 10 (U.S.  
CLS. 26, 39 AND 44).

OWNER OF U.S. REG. NOS. 1,277,867, 2,732,629  
AND OTHERS.

SER. NO. 79-006,404, FILED 8-27-2004.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

CHRISIE B. KING, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,194,287 IS  
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REGISTERED FOR A TERM OF 10 YEARS FROM *January 02, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the

Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

T. LAWRENCE

Certifying Officer



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39 and 44**

**United States Patent and Trademark Office**

**Reg. No. 3,194,287**

**Registered Jan. 2, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

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ROCHE DIAGNOSTICS GMBH (FED REP GER-  
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PRIORITY DATE OF 7-13-2004 IS CLAIMED.

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0836316 DATED 8-27-2004, EXPIRES 8-27-2014.

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AND OTHERS.

SER. NO. 79-006,404, FILED 8-27-2004.

CHRISIE B. KING, EXAMINING ATTORNEY

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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,199,675 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
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REGISTERED FOR A TERM OF 10 YEARS FROM *January 16, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer





**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39, and 44**

**United States Patent and Trademark Office**

**Reg. No. 3,199,675**

**Registered Jan. 16, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK TENDER**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

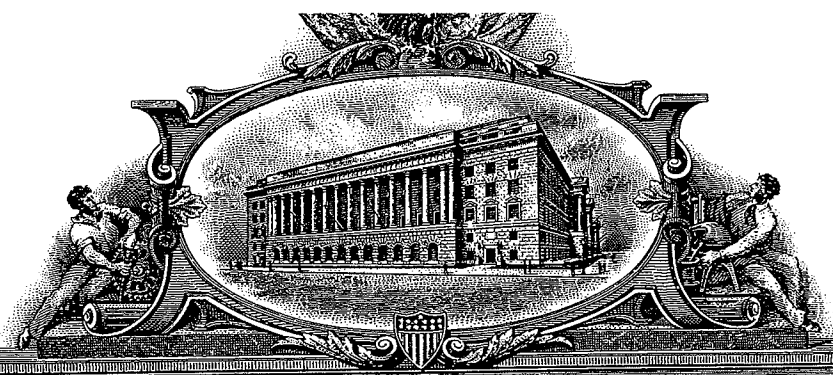
FOR: MEDICAL INSTRUMENTS AND APPARA-  
TUSES, NAMELY, CATHETERS AND INFUSION  
SETS AND ACCESSORIES THEREOF, NAMELY,  
ADAPTERS AND AMPOULES, ALL FOR THE SUB-  
CUTANEOUS ADMINISTRATION OF DRUGS, IN  
CLASS 10 (U.S. CLS. 26, 39 AND 44).

OWNER OF U.S. REG. NOS. 1,277,867, 2,651,417,  
AND OTHERS.

SN 78-615,863, FILED 4-25-2005.

FIRST USE 7-26-2005; IN COMMERCE 7-26-2005.

TARAH HARDY, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,199,675 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
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W. MONTGOMERY  
Certifying Officer



**Int. Cl.: 10**

**Prior U.S. Cls.: 26, 39, and 44**

**United States Patent and Trademark Office**

**Reg. No. 3,199,675**

**Registered Jan. 16, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

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ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LTD LIAB CO)  
SANDHOFER STRASSE 116  
D-68305 MANNHEIM, FED REP GERMANY

FOR: MEDICAL INSTRUMENTS AND APPARA-  
TUSES, NAMELY, CATHETERS AND INFUSION  
SETS AND ACCESSORIES THEREOF, NAMELY,  
ADAPTERS AND AMPOULES, ALL FOR THE SUB-  
CUTANEOUS ADMINISTRATION OF DRUGS, IN  
CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 7-26-2005; IN COMMERCE 7-26-2005.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,277,867, 2,651,417,  
AND OTHERS.

SN 78-615,863, FILED 4-25-2005.

TARAH HARDY, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,202,402 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 23, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

T. LAWRENCE  
Certifying Officer



Int. Cl.: 10

Prior U.S. Cls.: 26, 39 and 44

United States Patent and Trademark Office

Reg. No. 3,202,402

Registered Jan. 23, 2007

TRADEMARK  
PRINCIPAL REGISTER

ACCU-CHEK LINKASSIST

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY GMBH (GESELLSCHAFT MIT BES-  
CHRÄNKTER HAFTUNG))  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

PRIORITY DATE OF 3-15-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0875024 DATED 9-9-2005, EXPIRES 9-9-2015.

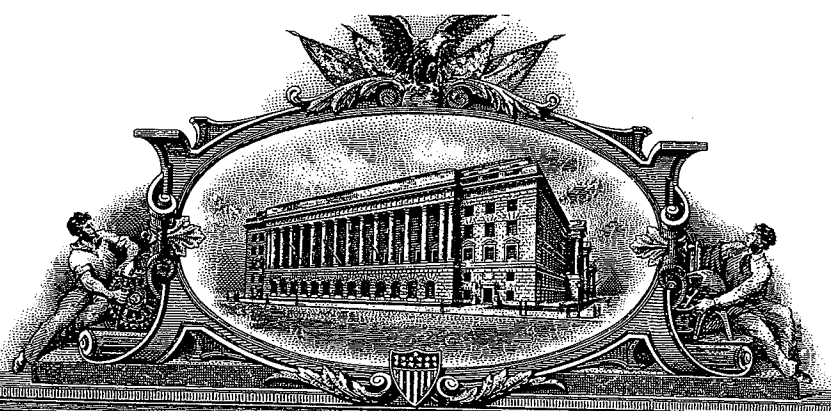
FOR: MEDICAL INSTRUMENTS, NAMELY, IN-  
SERTION TOOLS FOR THE INSERTION OF NEE-  
DLES AND INFUSION SETS ALL FOR THE  
SUBCUTANEOUS ADMINISTRATION OF INSU-  
LIN, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

OWNER OF U.S. REG. NOS. 1,277,867, 3,071,846  
AND OTHERS.

SER. NO. 79-020,212, FILED 9-9-2005.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

TANYA AMOS, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,202,402 IS  
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REGISTERED FOR A TERM OF 10 YEARS FROM *January 23, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

T. LAWRENCE  
Certifying Officer



Int. Cl.: 10

Prior U.S. Cls.: 26, 39 and 44

United States Patent and Trademark Office

Reg. No. 3,202,402

Registered Jan. 23, 2007

TRADEMARK  
PRINCIPAL REGISTER

**ACCU-CHEK LINKASSIST**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY GMBH (GESELLSCHAFT MIT BES-  
CHRÄNKTER HAFTUNG))  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

PRIORITY DATE OF 3-15-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0875024 DATED 9-9-2005, EXPIRES 9-9-2015.

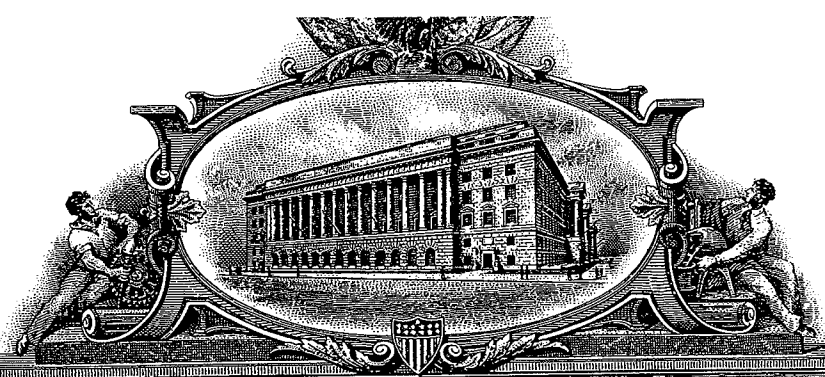
FOR: MEDICAL INSTRUMENTS, NAMELY, IN-  
SERTION TOOLS FOR THE INSERTION OF NEE-  
DLES AND INFUSION SETS ALL FOR THE  
SUBCUTANEOUS ADMINISTRATION OF INSU-  
LIN, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

OWNER OF U.S. REG. NOS. 1,277,867, 3,071,846  
AND OTHERS.

SER. NO. 79-020,212, FILED 9-9-2005.

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TANYA AMOS, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,223,375 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *March 27, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer





Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52

**United States Patent and Trademark Office**

**Reg. No. 3,223,375**

Registered Mar. 27, 2007

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK PERFORMA**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING THE LEVELS OF GLUCOSE IN BLOOD;  
CONTROL SOLUTIONS USED FOR QUALITY  
CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS, ALL FOR USE BY  
INDIVIDUALS WITH DIABETES FOR MEDICAL  
DIAGNOSTIC PURPOSES AND FOR USE BY HOS-  
PITALS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND  
52).

FOR: BLOOD GLUCOSE MONITORS, BLOOD  
GLUCOSE MONITORING KIT CONSISTING OF A  
BLOOD GLUCOSE MONITOR, DIAGNOSTIC TEST  
STRIPS, LANCETS AND CONTROL SOLUTIONS,  
ALL FOR USE BY INDIVIDUALS WITH DIABETES  
FOR MEDICAL DIAGNOSTIC PURPOSES AND

FOR USE BY HOSPITALS, IN CLASS 10 (U.S. CLS.  
26, 39 AND 44).

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
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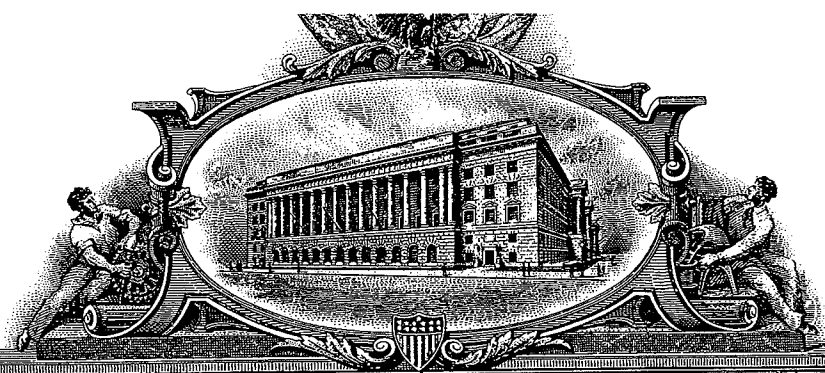
PRIORITY DATE OF 10-12-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0889208 DATED 4-6-2006, EXPIRES 4-6-2016.

OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957  
AND OTHERS.

SER. NO. 79-025,461, FILED 4-6-2006.

TINA BROWN, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,223,375 IS  
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By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer



Int. Cls.: 5 and 10

Prior U.S. Cls.: 6, 18, 26, 39, 44, 46, 51 and 52

**United States Patent and Trademark Office**

**Reg. No. 3,223,375**

Registered Mar. 27, 2007

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK PERFORMA**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR: DIAGNOSTIC TEST STRIPS FOR DETER-  
MINING THE LEVELS OF GLUCOSE IN BLOOD;  
CONTROL SOLUTIONS USED FOR QUALITY  
CHECKS ON BLOOD GLUCOSE MONITORS AND  
DIAGNOSTIC TEST STRIPS, ALL FOR USE BY  
INDIVIDUALS WITH DIABETES FOR MEDICAL  
DIAGNOSTIC PURPOSES AND FOR USE BY HOS-  
PITALS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND  
52).

FOR: BLOOD GLUCOSE MONITORS, BLOOD  
GLUCOSE MONITORING KIT CONSISTING OF A  
BLOOD GLUCOSE MONITOR, DIAGNOSTIC TEST  
STRIPS, LANCETS AND CONTROL SOLUTIONS,  
ALL FOR USE BY INDIVIDUALS WITH DIABETES  
FOR MEDICAL DIAGNOSTIC PURPOSES AND

FOR USE BY HOSPITALS, IN CLASS 10 (U.S. CLS.  
26, 39 AND 44).

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ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

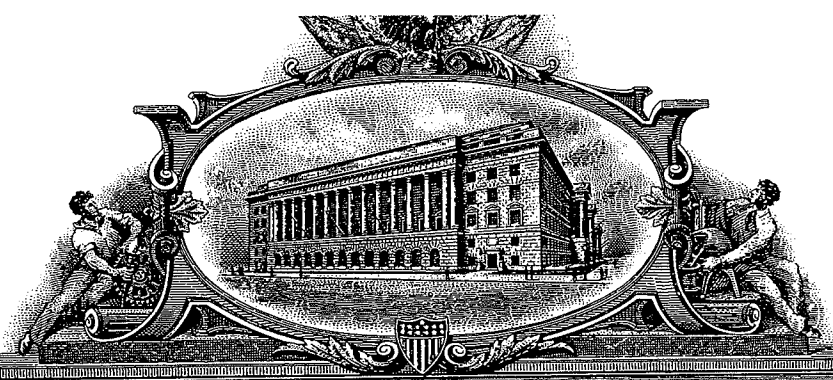
PRIORITY DATE OF 10-12-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION<sup>TM</sup>  
0889208 DATED 4-6-2006, EXPIRES 4-6-2016.

OWNER OF U.S. REG. NOS. 1,277,867, 2,417,957  
AND OTHERS.

SER. NO. 79-025,461, FILED 4-6-2006.

TINA BROWN, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,256,740 IS  
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REGISTERED FOR A TERM OF 10 YEARS FROM *June 26, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer



Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,256,740

Registered June 26, 2007

TRADEMARK  
PRINCIPAL REGISTER

ACCU-CHEK 360°

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY GMBH (GESELLSCHAFT MIT BES-  
CHRÄNKTER HAFTUNG/LIMITED  
LIABILITY COMPANY))  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR: COMPUTER HARDWARE AND COMPU-  
TER SOFTWARE FOR EVALUATION, VERIFICA-  
TION AND ADMINISTRATION, OF MEDICAL  
DATA; COMPUTER SOFTWARE FOR MEDICAL  
AND DIAGNOSTIC PURPOSES, NAMELY, FOR  
USE IN TRANSFERRING DATA FROM BLOOD  
GLUCOSE MONITORS OR INSULIN PUMPS TO  
ELECTRONIC DATA MANAGEMENT SYSTEMS  
SUCH AS PERSONAL COMPUTERS, ELECTRONIC  
DIARIES, INTERFACES, MODEMS AND CABLES

FOR CLINICAL MEDICAL USE, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

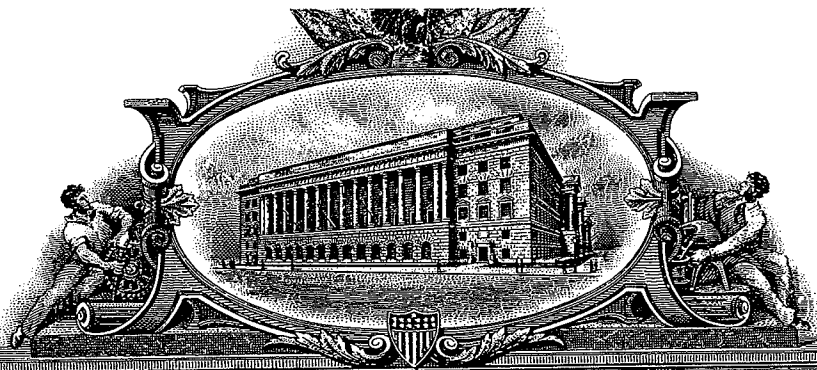
PRIORITY DATE OF 2-16-2006 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0901958 DATED 8-16-2006, EXPIRES 8-16-2016.

SER. NO. 79-030,312, FILED 8-16-2006.

REBECCA GILBERT, EXAMINING ATTORNEY

7174142



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,256,740 IS  
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W. MONTGOMERY  
Certifying Officer



Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 3,256,740

United States Patent and Trademark Office

Registered June 26, 2007

TRADEMARK  
PRINCIPAL REGISTER

**ACCU-CHEK 360°**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY GMBH (GESELLSCHAFT MIT BES-  
CHRÄNKTER HAFTUNG/LIMITED  
LIABILITY COMPANY))  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

FOR CLINICAL MEDICAL USE, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF STANDARD CHAR-  
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FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 2-16-2006 IS CLAIMED.

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0901958 DATED 8-16-2006, EXPIRES 8-16-2016.

SER. NO. 79-030,312, FILED 8-16-2006.

REBECCA GILBERT, EXAMINING ATTORNEY

FOR: COMPUTER HARDWARE AND COMPU-  
TER SOFTWARE FOR EVALUATION, VERIFICA-  
TION AND ADMINISTRATION, OF MEDICAL  
DATA; COMPUTER SOFTWARE FOR MEDICAL  
AND DIAGNOSTIC PURPOSES, NAMELY, FOR  
USE IN TRANSFERRING DATA FROM BLOOD  
GLUCOSE MONITORS OR INSULIN PUMPS TO  
ELECTRONIC DATA MANAGEMENT SYSTEMS  
SUCH AS PERSONAL COMPUTERS, ELECTRONIC  
DIARIES, INTERFACES, MODEMS AND CABLES



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,348,704 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 04, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
W. MONTGOMERY  
Certifying Officer





**Int. Cl.: 41**

**Prior U.S. Cls.: 100, 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 3,348,704**

**Registered Dec. 4, 2007**

**SERVICE MARK  
PRINCIPAL REGISTER**

**ACCU-CHEK CONNECT U**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)  
SANDHOFER STRASSE 116  
68305 MANNHEIM  
FED REP GERMANY

PRIORITY DATE OF 6-17-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0874529 DATED 12-14-2005, EXPIRES 12-14-2015.

FOR: EDUCATIONAL SERVICES, NAMELY, ON-  
LINE WORKSHOPS, ON-LINE SEMINARS AND ON-  
LINE CLASSES RELATING TO HEALTH AND  
MEDICAL INFORMATION ABOUT MONITORING  
DIABETES, MANAGEMENT OF DIABETES AND  
USE OF METER DEVICES, INSULIN PUMPS AND  
ACCESSORIES FOR USE THEREFOR, IN CLASS 41  
(U.S. CLS. 100, 101 AND 107).

OWNER OF U.S. REG. NOS. 3,016,330, 3,076,905  
AND OTHERS.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 79-020,056, FILED 12-14-2005.

NAKIA HENRY, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,348,704 IS  
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W. MONTGOMERY  
Certifying Officer



Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

**United States Patent and Trademark Office**

**Reg. No. 3,348,704**

Registered Dec. 4, 2007

**SERVICE MARK  
PRINCIPAL REGISTER**

**ACCU-CHEK CONNECT U**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
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68305 MANNHEIM  
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PRIORITY DATE OF 6-17-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION  
0874529 DATED 12-14-2005, EXPIRES 12-14-2015.

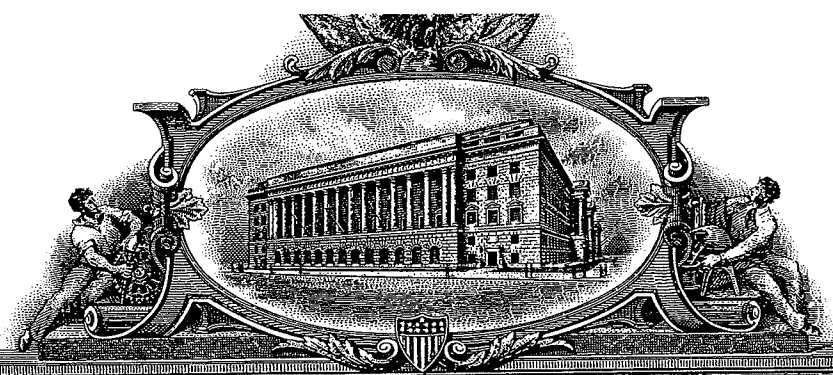
FOR: EDUCATIONAL SERVICES, NAMELY, ON-  
LINE WORKSHOPS, ON-LINE SEMINARS AND ON-  
LINE CLASSES RELATING TO HEALTH AND  
MEDICAL INFORMATION ABOUT MONITORING  
DIABETES, MANAGEMENT OF DIABETES AND  
USE OF METER DEVICES, INSULIN PUMPS AND  
ACCESSORIES FOR USE THEREFOR, IN CLASS 41  
(U.S. CLS. 100, 101 AND 107).

OWNER OF U.S. REG. NOS. 3,016,330, 3,076,905  
AND OTHERS.

SER. NO. 79-020,056, FILED 12-14-2005.

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ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

NAKIA HENRY, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,411,797 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 15, 2008*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*W. Montgomery*  
W. MONTGOMERY  
Certifying Officer



**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36 and 38**

**United States Patent and Trademark Office**

**Reg. No. 3,411,797**

**Registered Apr. 15, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK SMART PIX**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)

SANDHOFFER STRASSE 116

MANNEHEIM, FED REP GERMANY 68305

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 6-7-2005 IS CLAIMED.

FOR: ELECTRONIC APPARATUS FOR RECORD-  
ING, TRANSMISSION AND PRESENTATION OF  
MEDICAL DATA, NAMELY, ELECTRONIC READ-  
ERS FOR BLOOD GLUCOSE METERS AND INSU-  
LIN PUMPS; SOFTWARE FOR MEDICAL  
PURPOSES, NAMELY, FOR FORMATTING, VIEW-  
ING AND TRANSMITTING MEDICAL DATA COL-  
LECTED AND STORED ON BLOOD GLUCOSE  
METERS AND INSULIN PUMPS TO A PERSONAL  
COMPUTER AND VICE VERSA, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

OWNER OF INTERNATIONAL REGISTRATION  
0896134 DATED 12-2-2005, EXPIRES 12-2-2015.

OWNER OF U.S. REG. NOS. 3,071,846, 3,127,170  
AND OTHERS.

SER. NO. 79-027,969, FILED 12-2-2005.

CHARISMA HAMPTON, EXAMINING ATTORNEY



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

March 23, 2009

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,411,797 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 15, 2008*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

  
W. MONTGOMERY  
Certifying Officer



Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

**United States Patent and Trademark Office**

Reg. No. 3,411,797

Registered Apr. 15, 2008

**TRADEMARK  
PRINCIPAL REGISTER**

**ACCU-CHEK SMART PIX**

ROCHE DIAGNOSTICS GMBH (FED REP GER-  
MANY LIMITED COMPANY)

SANDHOFFER STRASSE 116

MANNHEIM, FED REP GERMANY 68305

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 6-7-2005 IS CLAIMED.

FOR: ELECTRONIC APPARATUS FOR RECORD-  
ING, TRANSMISSION AND PRESENTATION OF  
MEDICAL DATA, NAMELY, ELECTRONIC READ-  
ERS FOR BLOOD GLUCOSE METERS AND INSU-  
LIN PUMPS; SOFTWARE FOR MEDICAL  
PURPOSES, NAMELY, FOR FORMATTING, VIEW-  
ING AND TRANSMITTING MEDICAL DATA COL-  
LECTED AND STORED ON BLOOD GLUCOSE  
METERS AND INSULIN PUMPS TO A PERSONAL  
COMPUTER AND VICE VERSA, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

OWNER OF INTERNATIONAL REGISTRATION  
0896134 DATED 12-2-2005, EXPIRES 12-2-2015.

OWNER OF U.S. REG. NOS. 3,071,846, 3,127,170  
AND OTHERS.

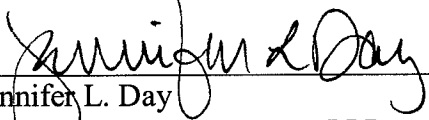
SER. NO. 79-027,969, FILED 12-2-2005.

CHARISMA HAMPTON, EXAMINING ATTORNEY

**Certificate of Service**

The undersigned, attorney for Opposers, hereby certified that she served by First Class Mail, a true and correct copy of the Notice of Opposition upon the following on this 5<sup>th</sup> day of August, 2009:

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